

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NELSON CAMPBELL, ET AL.,

Plaintiffs,

v.

FMC TECHNOLOGIES SURFACE  
INTEGRATED SVCS, ET AL.,

Defendants.

Case No. 1:20-cv-00901-CDB

**ORDER DISCHARGING ORDER TO  
SHOW CAUSE**

(ECF No. 34)

**ORDER REQUIRING PARTIES TO FILE  
DISPOSITIONAL DOCUMENTS WITHIN  
30 DAYS**

On December 9, 2022, the Court issued an order approving the parties' stipulated PAGA settlement. (ECF No. 33). The order directed the parties to file a stipulation to dismiss this action or a joint report setting forth when they intend to file a stipulated dismissal within 30 days of the order's issuance. *Id.* at 8. When the parties failed to make the necessary filing, on January 11, 2023, the Court issued an Order to Show Cause why sanctions should not be imposed. (ECF No. 34).

The Court has received and reviewed the parties' submissions in response to the show cause order. (ECF Nos. 35, 36). Based on the factors set forth in *In re Veritas Software Corp. Sec. Litig.*, 496 F.3d 962, 973 (9th Cir. 2007), the Court concludes counsels' representations demonstrate excusable neglect and that the parties have exercised diligence in keeping the Court apprised of their efforts to close this case promptly. Accordingly, IT IS HEREBY ORDERED the Order to

1 Show Cause is DISCHARGED.

2 While the parties represent in their submissions that performance under the settlement  
3 agreement is underway and ongoing, it is not the Court's intent or province to retain jurisdiction  
4 over the parties' performance of their respective duties under the agreement. With the Court's  
5 approval of the settlement agreement, this action has reached its conclusion and the parties shall  
6 make all efforts to ensure that a stipulation of dismissal is filed within 30 days.

7 Accordingly, IT IS FURTHER ORDERED that not later than February 13, 2023, the parties  
8 shall file a stipulation to dismiss this action.

9 IT IS SO ORDERED.

10 Dated: January 13, 2023

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13 UNITED STATES MAGISTRATE JUDGE  
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